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Paper No.

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In re Application of
Peter Hill et al
Serial No. : 09/998,015
Filed : November 30, 2001
For : Fluid Delivery Device

Director's Office : DECISION ON PETITION
Group 3700 : TO WITHDRAW
: HOLDING OF
: ABANDONMENT
:

This is a decision on a request filed July 21, 2004 to review the holding of abandonment mailed June 29, 2004, for failure to respond to the Office action mailed December 23, 2003. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response, a copy of a five-month extension of time request (only a three-month extension was needed and possible), and a copy of a PTO stamped receipt dated June 23, 2004. The communication included a certificate of mailing dated June 23, 2004. It is noted that the original communication has been located and matched with the instant file. Any inconvenience is deeply regretted.

In view of the above, the Notice of Abandonment mailed June 29, 2004 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response received June 23, 2004.

Summary: Holding of Abandonment Withdrawn.

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ak/04/19/05